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Economic, social and cultural rights and development strategies: human rights economics in international relations

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Economic, Social and Cultural Rights and Development Strategies: Human Rights Economics in International Relations

Background Paper

Alfredo Sfeir-Younis*

An Overview

A Global Consensus. Never in the history of economic and social progress have we experienced such a convergence regarding the content and scope of development goals and strategies. There seems to be a unanimous consensus, for example, that we need to eliminate absolute poverty; stop the degradation of our human and natural environment; make all possible efforts in the direction of sustainable peace (domestic and international); live in crime-free societies; establish the strongest foundation into the design of our long-term future (intergenerational equity); eliminate racism, discrimination and many other social bads; and many more. No doubt that the identification, respect and implementation of all forms of rights are at the core of all the above.

It is difficult to find a platform of a political party, or the main elements of a national development strategy, or the mandate of a given development institution (national or international) that does not contain some of the above mentioned elements. It is unimaginable to conceive any stakeholder in development who is not concerned with the negative dimensions of poverty and who is not somehow engaged into addressing one of more aspects of this problem.

Proliferation of Development Strategies. But it is also true that there is a huge proliferation of development strategies at the local, national, regional and global levels. The differences between these - both in terms of nature and scope and in terms of quality - are immense. This proliferation is marked and led by a number of interest groups, including civil society groups (NGOs as an example), business sector, governments, international development institutions, bi-lateral donors and so on. At times it seems that these strategies are more set in search of resources than in establishing the solid foundation that would improve the welfare of those for whom the strategy is intended in the first place. Be as it may, in most cases, a distinction must be made between development strategies elaborated at the national (domestic) level and those framed at the international and global level. Also, it is important to note that it is the ministers of planning and development (plus economics and finance) who are at the centre of these strategies and their elaboration. Many others are often absent, unless they provide a chapter on the matter of their narrow interest.

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This institutional reality imposes a very unique pattern design and reflection over the main theme of this seminar, which focuses on the true legitimacy, and implementation of economic, social and cultural rights. A subject matter to which this paper comes back later on.

New Understanding of Development. Nevertheless it is essential to point out that it is also true that there is a "new" understanding of what socio-economic development is all about. And the fact that one of the recent Nobel Winners is indeed Mr. Amartya Sen, says a lot and it has become one strong proof that this is the case. Similarly, the whole movement towards people's participation (listening to people) - enhancing empowerment, stakeholders' ownership of the development process, and establishing new forms of governance - are a few examples of what the corresponding new institutional framework looks like today. While the importance of economics and finance cannot be discounted - including the market and non-market mechanisms that go with economic and financial practices - it is evident that development goes far beyond their confines. The social, political, human, moral, ethical, legal and cultural dimensions are all part and parcel of today's debate. This has enriched the formulation of development strategies but, at the same time, it has created new forms of complexity in consensus building and implementation. While nobody questions the importance of culture in the attainment of sustainable development - i.e., a society can only attain sustainability if it reaches cultural sustainability - a way to put this in practice is not self evident. The trade offs between all these goals, the fact that resources are limited and the reality imposed by social and power structures make development a complex field of inquiry.

Therefore, neither is poverty defined just in terms of money income nor is development focusing simply on the physical needs of beneficiaries. But capturing many of the complexities and assessing obvious trade-offs are the major challenges today.

Some Important Dimensions

Human Development, Human Rights and Legal Rights. Furthermore, it seems essential to note the fact that many development practitioners involved in the design and implementation of development strategies do not make the proper distinction between human development (and processes), human rights, and legal rights. It is essential that this distinction is made if one is ever to assess and judge how well the development strategies fit within the goodness of fit of development strategies in relation to the whole body of economic, social and cultural rights. And, this is not just semantics.

Common to all three is an understanding that human beings are at the centre of any development process. While familiar and rather obvious for some people, this dimension still must be made explicit and to a major extent enforced. Without getting too much into cumbersome definitions and connotations – totally beyond the scope of this paper — one can illustrate the differences of the above mentioned interconnected themes by saying that while human development is mainly involved in enhancing the capabilities and enabling the environment for people to participate and benefit from development, the human right approach establishes the grounds for claims, duties, responsibilities, and accountability in the multiple dimensions of the development process. No doubt that there are a number of critics and constraints associated with the latter, including important disagreements on the foundations of

rights, importance of cultural relativism, the fact that many rights are vaguely defined, no clarity on responsibility and accountability, excessive advocacy with little rigor, and the like.

On the other hand, legal rights are much easier to define as they are subject to clear enforcement and legal actions. But it is up to the political and legal framework of each country to define the content and scope of rights and concordance actions, assessments and remedies.

In many of the development strategies - both at the country and at the global levels - rights are really very vaguely defined. In most cases the situation is one of defining, or stating the main principles of development and progress where a society wants to be. These principles may be extremely close to the debate on true rights as it is social justice, equity, participation, benefiting from government policies and public expenditure patterns, having access to a basic development compact (like education, health, housing and food), alternative forms of empowerment, adopting new forms of governance, enunciating responsibilities, and the like. All of these principles have a corresponding image into alternative forms and dimensions of human rights.

Operational Dimensions. Making human rights operational is the ultimate task. Development strategies have the added advantage that they transform the operational expression of principles, goals and elements of the strategy into programs and projects. This is the **operational dimension** of the development strategy. From the perspective of international development institutions (including all the UN and specialized agencies, and the Bretton Woods Institutions), this operational dimension has important connotations that are directly related to their respective mandates. The fundamentals of these mandates are extremely important as it brings in a multi-faceted and a pluralistic way the needed development assistance for nation states to implement as they see it fit and as they feel their own accountability for all or any of the covenants linked to economic, social and cultural rights.

In the case of the World Bank, there is a major history of assisting countries in the implementation of those rights. This is also the case of most international organizations. What part of the agenda one ends up addressing depends on country priorities, the ideology of development at any given point in time, and the resources in the hands of those most in need. Thus, during the era of reconstruction, major infrastructure projects paved the way to the implementation of many human rights and the right to development. Then, specific programs tailored for the poor – like rural development and the provision of low cost public services (e.g., water and sanitation) and urban development – brought other unique aspects of the development process at the service of compliance with human rights. And important part of the enabling environment referred to earlier is directly linked to the management of the economy at the macro level. Employment and public expenditure policies are examples of where macroeconomic management may create close spaces for the implementation of rights in a given society.

While many more efforts are needed at the sector level, it is eminently clear that major progress has been attained in areas such as education, health, food security, housing, nutrition, sanitation, water and many others. However, there are still too many people who have not been able to benefit and also exercise those rights and, therefore, more comprehensive and effective efforts are needed. Thus, social rights are in some ways being addressed by most development strategies.

Recently, significant efforts have been devoted to create the political and institutional spaces for the implementation of cultural rights. There are many international organizations that have taken the lead in this area for over a century of concerted and committed work programs. One example is that of rights of indigenous peoples, culture and sustainable development, and so many others. Furthermore, the work that has been made in the area of cultural heritage is particularly significant. NGOs have been leaders in these areas for quite a long time.

The Institutional Dimensions. Perhaps the weakest link in development strategies and the corresponding implementation of existing economic, social and cultural rights rests in the weakness of domestic and global institutions. Thus, it is imperative to identify comprehensive efforts geared to strengthen the **institutional dimensions** of the development process. These institutional dimensions do not only include needed organizational arrangements, but also the definition of roles and functions of stakeholders (government, people, private sector, NGOs...), laws/rules/regulations, information and knowledge transfer, and many other aspects.

Human rights must be anchored into congruent and symmetric institutional arrangements. However, what is important to note is that these arrangements vary according to many different factors and, therefore, institutions to implement cultural rights are rather different from those to enforce and implement economic rights. Experience demonstrates that institutions to address an important set of cultural rights seem to be far behind in relation to institutions to address economic and social rights. But, perhaps more importantly, the "rules of the game" (institutional arrangements) defining the real prospects for progress in the rights front are much less developed and are rather different in the area of cultural rights than they are in other forms of rights. Thus, in some cases, economic rights are pursued through significant market mechanisms that do not necessarily respect the existence of a number of cultural rights.

The Policy Dimensions. No development strategy is void of policy content, but many of them make no effort to link these policies with human right considerations. And, this is perhaps where and why the debate on economic rights is rather inconclusive. In some cases the **policy dimensions** are obscured by immediate issues and concerns so the more longer term decisions take the back seat. Given that the implementation of rights is an effort with major long-term connotations, this is an area that deserves special attention.

A special feature of the debate on policies and human rights has to do with the so-called separability problem; i.e., our inability to clearly separate the cause-effect relationships that exist between one or more policies and the attainment of economic, social and cultural rights. This problem has led to a difficult dialogue between policy makers and planners and those who are establishing the grounds for human rights and economic development related actions. As a result, we either end up linking every possible policy to the violation of human rights or the right to development; or creating a major void in both dialogue and action. The discussions on debt, structural adjustment and public expenditures do illustrate this point.

In addition, experience demonstrates that the policy arguments in favour of attaining a set of rights - be it economic, social or cultural rights - are not symmetric or capable to apply in both directions of the argument. This is the case of debt servicing and public expenditures in education and health, for example; while it may be true that servicing the debt may be the cause

in the decline of those expenditures, nothing assures that once the debt is paid, the country will maintain a higher level of public expenditures.

Finally, it is worth noting that there are some differences between the policy content on a given theme at the level of a country and that of international institutions. As it has been shown in some cases related to the rights of indigenous peoples and minorities, the policy prescriptions of international development institutions may be more stringent than those of the countries themselves.

The Case of Poverty Eradication

Would poverty eradication in itself ensure the implementation of all economic, social and cultural rights? The answer is certainly not. However, it is clear that living in absolute poverty most human rights are being violated and that the efforts to alleviate poverty are of paramount importance. This is one of the reasons why most development strategies at the national and the global levels are focusing on the existing poverty issue and its social and cultural ramifications.

Many development institutions, including the World Bank see poverty as the central part of the mandate, and the understanding about poverty has been changing at a rapid rate. This can be seen in many different ways, including a comparative analysis of the World Development Reports (WDR) of the year 1990 and 2000/1 published by the Bank. While the material aspects of poverty permeate every corner of the WDR 1990 (e.g., income, growth), the latest WDR acknowledges new dimensions of a comprehensive poverty eradication strategy. This is conceived at three main levels: opportunities, empowerment and security. In all these cases, the non-material dimensions influencing the level of poverty in any given situation are of significant importance.

The United Nations Sponsored Conferences. There is no doubt that the recent UN Conferences have clearly enhanced the debate on poverty and have added a number of key dimensions like population, gender equality and environmental sustainability. In all of these conferences there are agreed plans of actions, all of which contain important elements of the human rights equation. In particular, the Social Summit has repeatedly stated a number of key economic, social and cultural rights, and it is within the context of these principles that some action could take place now.

International Development Goals. One of the main results linked to the Conferences is the establishment of the International Development Goals (IDGs), touching on a large number of human rights related themes. It is here where international development institutions have been and will continue to be playing an important role. But this role will only enhance the situation in a given country if country ownership is at the centre of the process. It is this ownership that will give body to a process that is rights-based and that will ultimately generate the coherence needed at the operational, institutional and policy levels. Furthermore, last year during the Millennium Assembly the UN has again brought about extremely concrete programs of actions and possible avenues to have societies where social justice and human rights are attained. This declaration was signed by nearly 200 Heads of State and it constitutes a mandate nobody can ignore.

The Missing Links

But there is a number of missing links, and this is not surprising given the complexity of the problems in question. One of them is related to the participation of different Ministries in the design and implementation of development strategies. This is essential in the case of mainstreaming human rights into economic management and implementation. For the time being many Ministries remain completely separated from a process which is essential to some of their mandates. Given the fact that human rights and the solutions to the problems associated to those rights are multidimensional in nature, solutions demand a pluralistic and multi-institutional approach to mainstreaming.

This is easier said than done, as many of the manifestations related to the main theme of this paper and the seminar are linked to the same syndrome. Inter-ministerial relationship also reflects power relationships that are not easy to change from one day to the other. For a long time matters of human rights were conceived as simply political and thus of the domain of those ministries concerned. Now, with the notion of economic, social and cultural rights as well as of the right to development, the whole institutional relationship must be subject to question.

Another important consideration is that international institutions cannot go beyond the development framework and institutions the society in question wants to promote. The legal and institutional framework being key aspects of this debate. This is not the first time this issue is being raised but it cannot be expected that either pressure or conditionality would resolve the constraints that already exist in the countries in question. There are institutional limits and it is essential that sovereignty and ownership are not violated in the process.

Furthermore, it is essential to avoid that international organizations become world governments or world police forces. The time of colonialism is over and no agency should take those roles. Certainly the international financial and economic institutions are the least equipped and suitable to perform this type of function. The process cannot just stay at the advocacy level because such pressure will completely politicize the process and clearly countries will attain poor outcomes.

The same applies to the advocacy role, understood simply in political terms. This role has been empowered to a specific institution, The High Commissioner's Office, and it should be respected and protected. The role of development and financial institutions must focus on specific aspects of economic, social and financial policies.

A major problem is in the area of global public goods and in the assignments of rights over those goods. At present there is no development institution that is fully in charge. Furthermore, even the best development strategies at the national level will not be effective or even relevant (in many cases) to address a large number of issues of global public goods' nature. In sum, there is a major problem with the existing global governance structures. Structures that must include more than governments; e.g., the inclusion of NGOs, organized civil society, private sector and other stakeholders. This is a major challenge.

Finally, it is important to note that at the level of "intentions" there is all the will of the world to address issues of human rights and economic development. However, as agencies or

groups in society move into implementation there are major breakdowns. These are the main cause for the violation of rights at many levels. Thus, it is extremely critical that we focus on the reasons for this breakdown and try to resolve it. In many international meetings, it has been said that such a breakdown is mainly due to the lower level of human and social coherence or awareness. A situation where elements just become the residual of a number of actions that do not amount to the social optimum everyone is trying to attain.

In part, this breakdown will be minimized as a result of a major change in our value system. Societies must embrace value systems that are human right inclusive, at all levels of decision-making, including economic and financial decision-making. For the time being there is a major contradiction in values and thus the results are mixed and limited at best.

Creating Wealth: The Human Rights of Economics or The Economics of Human Rights

Wealth Creation. Given the nature of development strategies and of many of the international financial institutions, it is essential to look into the relationship between economic, social and cultural rights and the right to development (RTD) - either as a concept or as a new paradigm - and the whole process of **wealth creation.** It would be essential to focus on and give major emphasis to the possible implications for developing countries. This is a process that is influenced as much by external factors as it is by internal factors.

The Link To Capital Accumulation. The point of departure of this effort must be simple: countries seem to agree with the need to mainstream the human rights and the RTD into economic and social development, and this is one of the functions to be performed by a development strategy. Thus the importance of linking the RTD to the process of wealth creation. Otherwise, the whole theme will remain separate and dissociated from economic decision making in all countries. In most countries and development institutions, this effort is far from complete, and it has not been easy to address. One of the points of departure has been to use the experience gained in the intellectual journey when the concept of sustainable development and wealth creation were linked. In some respect, this is a similar exercise. In the case of sustainability, the political economy of the debate identified at least three of its dimensions - social, environmental and economic. And, having identified these three dimensions lots of time was devoted to linking them to the process of wealth creation. This was done through associating the economic, social and environmental dimensions to the theory of growth and capital accumulation.

Once this was properly done, most of the debate moved into another aspect of sustainability: its equity implications over both space and time. Poverty being at the centre of the debate obliged development strategies to make explicit the links that such poverty had with sustainable development. And, as seen during the last few years, a large number of articles, books and reports on the different aspects of poverty and sustainable development have been published. This has not been an easy matter to address and needless to say some of these aspects still remain unsettled.

The Right To Development. In the same context, it has become imperative to link the RTD to the process of wealth creation. The first step demands to focus on the question of "Where does the right to development fit within the process of capital accumulation?" with capital accumulation as the principal source of wealth creation. Based on established research, it has been founded that wealth creation is a function principally of accumulated capital in at least six forms: physical, financial, human, natural, institutional and cultural. It is the accumulation of one or more of these forms of capital that is ultimately responsible for wealth creation.

It is in this respect that policy makers must understand the RTD as a major "organizing principle" and a practice (i.e., the process) through which societies apply the assignment of rights over the existing productive assets. This organizing principle is country specific in order to respond to the values, belief system and cultural patterns agreed in each society, wherever an assignment of rights takes place.

- It is here and within this context that the whole debate on entitlements and the right to a process can be integrated into the debate on development and policy formulation.

- It is here where the debate on income and non-income gaps in any society begins to take a new meaning.

- It is here where the issue of private and public entitlement of rights needs to be integrated.

Capital Accumulation and Poverty. The income dimensions of poverty are not enough to explain the relationship between rights, capital accumulation and policy making. One dimension of critical importance is that of defining poverty as an "inability to accumulate capital" in its several forms. And such inability to accumulate capital is essential to understand the so-called pro-poor-growth, and the process of creation of wealth as well as the process of fulfilment of all rights, including the RTD. This concept is very similar to the idea brought by the debate on "capacity dimension".

This is an area that offers a great deal of potential in the formulation of instruments to combat and eradicate poverty. Going beyond the traditional ways of addressing poverty - as income poverty - an ability of capacity analysis puts a renewed emphasis on institutional, cultural, organizational, and equity dimensions of the development process. We know that the ability has been impaired by not having access to the productive assets of the economy, be it land, water or other natural resources, or be it other productive assets that remain in the hands of a few.

This is an area where much more debate should take place as it elucidates a number of issues that remain too general and not well attended in the debate we have had to date.

Implications for Governance and Institutions. But a debate on wealth creation and poverty eradication must be anchored into congruent or symmetric governance structures and institutions. In this case, governance must not be understood just as the "rules of the game" or the "rules of engagement" but, in addition, as the accumulated principles behind a process that would lead to the full expression of the RTD (i.e., its wisdom).

One should also note, that each possible combination of rights - private rights, public rights, collective rights, common rights, and many more forms of rights - materializes and maps into some unique form of institutions and/or governance structures. These may be referring to local, national, regional or global structures. Thus, for example, the best management of existing global public goods will demand the assignment of global rights as well as a corresponding form(s) of governance that will prove to be very different from the one needed to assign rights to locally managed and used assets.

The linking between the right to development and the process of wealth creation opens new doors for setting creative boundaries to the different policy dialogues taking place today. It will be through these dialogues that alternative forms of institutions will have to be created and implemented.

Human Rights Principles and Economic Principles. In most human rights declarations the notion of someone in a group being better off in relationship to human rights is often defined as "a society will only be better off if one or all elements of the vector improve without one or any becoming worse off". In economics, this criterion is called a "Strict Pareto Improvement". This is to say a situation where one or more people get better off without anyone getting worse off. Such a principle disregards a series of other "compensation formulas" where in some instances someone can be worse off.

Thus, one will have to be aware that economic principles do not always follow the rule suggested by some of the agreements, and this principle may end up being violated on economic grounds, while economists would advocate that, overall, society is better off. This is the case where it is stated that the advocated principle is one whereby the very explicit: "violation of any right implies a violation to the RTD".

The Political Economy of Human Rights

But economics is not all that counts on the road to implementing economic, social and cultural rights. In fact, the political economy of the issues is much more fundamental. Part of the reason is the fact that most rights issues are political in nature, and another reason has to do with the very complex nature of the themes involved. Let me illustrate it by outlining some of these themes.

Equity. First, on human rights and equity we are here today because of major violations of rights and the distorted distributional patterns in their realization. And, there is no development strategy that does not make strong reference to one or more equity issues and concerns. These equity and distributional concerns are often determined and linked to the ownership of productive assets in the economy (including natural resources and environmental goods and services), disparities in income levels, spatial (upstream and downstream relationships) and inter-temporal distortions in accessibility and quality. In many cases the solutions, or the rules to follow, are not trivial. But what is certain is that countries need a major political consensus to make progress. I would like to emphasize the importance of addressing intergenerational equity and distributional issues that play a central role in any sustainable development strategy. There is an important question we all need to attend: How do institutions

and governments mainstream these human rights and equity concerns into their projects, programs and policies?

Empowerment. Any materialization of rights means significant shifts in empowerment. Between one group and another group in society – particularly between those in power and those without it! - between this generation and future generations, between the rich and the poor, and so on. This may also include alternative forms of empowerment among different groups in a society or among different organizations.

Assignment or enforcement of rights (of any of them) by definition means creating new forms of empowerment, and empowerment of people and organizations creates deep political and cultural demands for change. Thus, to empower the poor and give them access to high quality/productive assets is not a trivial proposition for many societies. Empowering women and the youth is also problematic for many countries. And, the lack of it has been the main source of social conflict and instability. Balancing or shifting power is often accompanied by enormous resistance, particularly in those countries where class structures, cast systems, and some ingrained cultural beliefs are not always ready for drastic change.

Governance. But even in cases where societies have decided to address the equity and empowerment related issues resulting from the need to realize a number of human rights, these cannot be conceived in a vacuum. An essential ingredient is that of governance (the rules of the game, the rules of engagement, the rules of decision making, the wisdom of policy making). A major problem facing many countries today is the lack of adequate governance structures. In fact, there is a crisis of confidence in most types of governance structures. This has resulted in a constant move of the pendulum from one extreme to the other – like from the public to the private sectors – without creating the foundations for governance structures that are capable of mainstreaming rights to health in economic development. National development strategies are weak in this respect. And, global development strategies remain handicapped because of the lack of global governance structures.

Little research has been carried out to look into the correspondence between alternative forms of governance and the realization of economic, social and cultural rights. And it is perfectly possible to think of a situation where there may be contradictions among alternative forms of governance and the assignment or implementation of these rights separately. The governance structure that might effectively deliver on the economic front (using the market mechanisms, for example) may run counter to those forms of governance needed to attain cultural or social rights. In addition, just think about the possible alternative ways to manage productive assets that are in common or collectively vis-à-vis the pressure to assign private rights. A complex matrix of options and priorities, without well established governance structures.

Institutions. The issues of governance lead to questions of institutional capacity in developing countries. In practice, the implementation of all human rights and the right to development (policies and programs) is confronted with extremely weak rules of the game, including justice systems, particularly as it relates to the poor, powerless and minorities. And, this is not only the domain of legal structures in a country, as the debate on rights has opened new doors for added responsibilities by all Ministries, Parliaments, Unions and other

organizations. The debate on human rights has become the affair of all organizations and this represents a very new dimension in decision-making. Thus, an inefficient Ministry of health, for example, may be as condemning of a violation of the rights of indigenous minorities as are the inefficiencies of the Ministries of economy and justice. Given the bad experience with capacity building and institutional development, the theme of today will remain a major cliffhanger for any discussion on mainstreaming.

Affordability. It is clear that any development strategy makes the point that economics and finance do matter. More specifically, all of these strategies bring to the forefront a debate on affordability, and this debate is central to others such as the one on mainstreaming, universality in the application of rights and many more. It is clear that focusing on affordability, and who actually pays for the materialization of rights raises many intricate political, economic and ethical dilemmas. For example, there are some who claim that everyone needs to have access to a minimum level of education, health or ecological welfare independently of the beneficiary's level of income.

There is a lot of confusion regarding the pricing of these services and the crucial role of well-established cost recovery policies. Otherwise, mainstreaming will be short lived.

Attention to affordability, under conditions of inadequate resources will bring decision-makers to address major trade-offs, some of which are not that easy to settle. For example, in most cases it is not trivial how one decides between one dollar allocated to primary education vis-à-vis the same dollar allocated to basic food security. These trade-offs are seldom debated in development strategies. Many of the parameters responsible of sectoral allocations are rather implicit.

Participation (Representation). A real sustainable society can only be constructed with an active participation of all the development stakeholders. While this may sound trivial to many **in** this audience, participation has not been uniform and equal across income groups or social strata in most countries. This includes the industrialized countries as well. There are few countries where the poor people participate fully in the definition and vision of their own destiny, as encapsulated by the development strategy. Also, it is important to note that participation is not cost free. In some cases, participation may be extremely costly due to the lack of infrastructure, communication systems, and the like.

The Sustainability of the Development Effort. Most actions must be conceived as long-term interventions. Experience demonstrates that short-term palliatives will simply not do and, thus, the respect for human rights now does not ensure the same for the future. In many development strategies, a long-term view of the development process is absent, as the planning system often has to respond – or has the capacity to respond - only to immediate challenges and demands.

To change the situation, it would require focusing on different types of action plans and programs. Central to this is the fact that countries will have to take their destiny in their own hands: ownership and identity are fundamental. This is why, political and social spaces are needed to consolidate country ownership and identity in development. These will be essential in

mainstreaming; as without this foundation the goals of a human right-based development would be impossible to attain.

Mainstreaming and Targeting The Poor. Mainstreaming also means targeting populations that have not been able to live in acceptable social and natural environments. Mainstreaming means effective inclusion. And this challenge of inclusion must be central to this debate. But, inclusion is not a trivial proposition. Experience with many social programs demonstrates that actually reaching the target populations is a very difficult task. The same happens when a number of safety nets are implemented which, in the end, benefit lots of people outside the target group. Reaching the target population is the key acid test of mainstreaming.

Existing Value Systems. In the end, the only way for a society to respect and mainstream sustainability concerns in all its dimensions, is to embrace a value system that starts from a human-right-value-based. And these must be put within a human value and "people's first approach", to attain the goals they themselves bring to the development process. Juts adding the theme of human rights (just a chapter) to an existing, and biased value system, does not ensure that people will benefit from approaching their goals. For those who advocate human rights as the entrance point of development planning and implementation must know that groups in society violate principles of a human rights based society because development is guided by another set of values and belief system. Specifically, we know that in most cases an economic value system is exclusive rather than inclusive; a process of exclusion that materializes through purchasing power. Mainstreaming human rights demands a value system where these are not the residual of other values and belief systems. But, rather, an integral part of it. This demands a major cultural shift or a return to many societies' original human values. It is in this context that attention to opportunities, empowerment and vulnerability must be fully taken into account.

Social Contracts. Mainstreaming economic, social and cultural rights is like drawing up a new "social contract". Many development strategies propose new avenues, instruments and policies without questioning the existing social contract, or purposely maintaining the existing set of social relationships. But if changes are to come, societies will have to draw new social contracts. However, the time that it will take to agree on them may be long enough that the process, itself, becomes the self-defeat of mainstreaming.

Styles of Development. Mainstreaming will remain a theoretical proposition where a style of development is biased against the respect and implementation of human rights. There are styles of development that are more egalitarian than others; that are more inclusive than others; and that care about the needy more than others. These biases cannot be ignored. And, in most cases, mainstreaming may be challenging the prevailing development paradigm.

Individual and Collective Actions. Mainstreaming requires that one embraces both individual and collective actions. It appears that the future of mainstreaming may rest quite a lot more on collective actions. As mentioned earlier, this is particularly the case of public goods generated at the national, regional and global level. The spread of HIV/AIDS demonstrates the example of a public bad that needs to be urgently addressed.

But in mainstreaming major collective action is needed at all levels. There is little or no research on how these actions affect mainstreaming activities.

Our Vision of the Future. Mainstreaming has to be conceived and implemented within an agreed vision of our future. The vision for the country and the Planet in which we live. Without this vision, mainstreaming will have no identity and no direction. The vision will be the compass that will direct all our efforts in making sure that all the rights are respected and complied with. This vision may demand new and more profound notions of what economic progress and human welfare are all about and what these imply. This vision may need to go to the roots of what life is all about in its material and non-material dimensions.

It is this vision that will provide the true normative character to mainstreaming sustainability into development: defining rights and responsibilities and embracing economic, social, cultural, ethical, moral and spiritual values.

Leadership. Even if all the above elements sound relevant, there is nothing that replaces good and effective leadership. Mainstreaming will take a lot of good and trusted leadership. For the time being leadership has rested in an advocacy corner, but it cannot remain there. And, this leadership needs to be holistic and inclusive.

Some Important Lessons

For any development institution to start a truly serious policy dialogue at the country level on the economics of human rights and its relationship to development strategies - including its implications for economic policy making and program design and implementation - it would require a number of important and necessary elements:

- It would require a formal request from the country in question to bring the essence of the human rights elements into the debate and, based on such a dialogue, begin to challenge the approach to and actual allocations of development assistance. We believe that this may be done through the existing process embodied in the Comprehensive Development Framework (CDF), where country ownership is one of its pillars.

- It would require a great deal more clarity of the possible impacts that such a dialogue may have. It is a concern how do countries see the real boundaries of a comprehensive process of mainstreaming economic, social and cultural rights and the RTD into economic and financial practices established to date. International development institutions need very practical, concise and rigorous guidelines, all widely accepted and ready to be implemented. These guidelines must account for the importance of macroeconomic management.

Some key strategic concerns regarding the links to the right to development are worth noting.

One, on value systems. The Bank has stated during several occasions that the RTD embodies a new value system and that a lot needs to be said about the nature and scope of such system. Examples of these values are: equity, transparency, accountability, decentralized development, justice, freedom of information, participation, (meaningful participation), non-discrimination, and the like. This is a matter that we cannot leave unattended. The RTD is a

new system of values, and all institutions of any society must promote these values. Thus, it is not just a matter of more education, or greater coverage, or benefiting minorities, but a matter of what values permeate the education systems we want to promote. The same applies to health, right to food, and housing, just to name the few.

Two, on the right to a process. We believe this is one of the most salient contributions of the present debate on RTD. One remaining issue is that of establishing very clearly the fundamentals of this process. In an operational terms this would be easier to define than just stating that such a process should also be rights based. This links to our previous point (on value systems), but also calls for a major recognition of the "initial conditions" of that process. Examples of initial conditions refer to who owns existing productive assets, in whose hands these assets are located, and so on. When these initial conditions are not even close to a 'justice society', the process will become more complex and the stakes will be rather high. The larger the ownership gaps the more difficult it will be to have the right to that process or ensure that the process is respecting all forms of rights. This brings us to a complementary point we made earlier: that of the role that styles of development play in attaining the key goals and objectives behind the implementation of the RTD. There are systems that are biased against human rights, and we need to focus on the conditions and elements that are built in these styles of development. Otherwise, one may end up increasing inequalities and injustices, even if some form of universal access has been put in place.

Finally, on the responsibility for the implementation of rights. The responsibilities rest on the State, and there is a consensus that this is so. But it would be important to spell out also the possible responsibilities of the private sector, media, academics, leaders, and NGOs, to name a few. May be this point goes without saying but we feel it is essential to success.

Addressing The Immediate Agenda

There is a long list of themes dominating the development agenda, but some are of specific interest to the Committee on Economic, Social and Cultural Rights. Herewith some general views on those matters.

The Role of Globalization. Often there is a debate regarding the extent to which globalization hinders the implementation of those rights. But in actual fact it is impossible to say a lot without ending with an answer that will satisfy nobody. While it is easy to link all evils and problems societies are facing to globalization, this is simply an oxymoron. Information is essential to the implementation of rights. This is the era of information and interconnectedness. Many people now know in real time that some rights are being violated and thus thanks to the rapid speed of globalization it is now possible to attain a number of rights.

But, one is not advocating that globalization does not have some important negative effects. And the question for a debate on this matter must focus on the variables and the constants of this process. Many of the policy aspects could in principle be modified to accommodate human rights concerns at all levels, be them economic, social or cultural. In addition, it is not possible to think about globalization without identifying the actors involved. And, it is at the level of these actors where correction factors must be included. Otherwise, globalization becomes a ghost to whom everyone complains about but we remain hopeless.

The Fight Against Poverty. A lot has been said above about poverty eradication and rights. If one looks at the historic records of the Committee and of the Commission, the issue of poverty eradication has always been central to the debate. This has been accentuated in the debate on the RTD.

But is poverty eradication a necessary or a sufficient condition for the attainment of rights or the respect of rights, or the implementation of economic and social rights? The answer is not always clear, as the arguments made do not hold in both directions. First, it is true that attacking poverty most societies will see many of the economic, social and cultural rights being implemented as a result. But raising the standard of living of the poor can be done in many different ways, and the question of whether the process leads to a society that respects rights is still valid. Thus, poverty eradication is only a necessary condition.

In this context, and to be able to claim a right-based approach to the problem, it is essential to distinguish between the private and the public good nature of poverty. And this demands a much more detail discussion regarding what poverty is all about. The nature of poverty must come out in its human, income, wealth, demographic, ethnic, racial, gender, age-related, social, spiritual, cultural, ethical ... dimensions.

Thus, the fights against poverty will only guarantee the effectiveness of economic, social and cultural rights depending on how one sees its nature and scope.

The Hierarchy of Decision-Making. There are a number of principles in the human rights arena that are important and need to be mainstream in economic decision-making. Examples of these are indivisibility and universality. In fact, many of the criteria to assess progress towards the implementation of rights are based on those principles. But, often a question is raised if these principles can be applied from one day to the other and to what extent there is cultural relativity in both its interpretation and implementation.

It is easy to answer no, and leave the question of hierarchy, progressivity, trade-offs and affordability on the side. However, as a matter of fact, because the "train is moving" and the state of play is such that rights are being violated, the attainment of rights in practice must somehow focus on the availability of resources and how best to allocate these resources among competing uses. Thus, for example, regarding economic rights, one may pose the question of legitimacy to a development program that only allow beneficiaries to attain two dollars a day, even if that meant a double of their income with respect to the situation without the project.

There is obvious solution to this dilemma, and it is the society in question that must resolve it and not the international development institutions. This issue is over and above the one of "compensation criteria" debated within the context of the RTD. There may be a clash of approach between economics and international law. This is a matter that needs much more research and studies to establish best practices.